

Claims 19, 20, 22 and 23 were rejected under 35 USC 102 as allegedly being anticipated by U.S. Patent 5,428,579 (Robinson). Claims 21 and 24 were rejected as allegedly being obvious in view of the combination of Robinson and U.S. Patent 5,815,426 (Jigour).

By this amendment, claims 19 and 22 are amended and, as such, are patentably distinct over Robinson, taken alone or in combination with Jigour.

The present invention is directed to a memory card that interacts with an external apparatus to: (1) send the state of a write-inhibit switch to the external apparatus in response to a read status instruction that is received by the card from that external apparatus; (2) write data into the card memory if the external apparatus sends a write instruction to the card; and (3) send the write instruction to the card only if the state of the write-inhibit switch is not the inhibit state. These features are recited clearly in amended claims 19 and 22 and are not disclosed by Robinson.

Robinson describes a memory card that interacts with an external apparatus, namely, a host computer, and includes a write protect switch that, when set, prevents data from being written into the card memory (col. 6, lines 15-21). A write instruction is sent to the card from the host when data is to be written into the card memory (col. 7, line 65 to col. 8, line 5). Status information is sent from the card to the host (col. 12, lines 47-48) by first storing the status information in status register 451 which is read by the host (col. 21, lines 37-41). Robinson describes a separate register 457, identified as the write protection register 457, that can be written to or read by the host (col. 22, lines 36-51). But, there is no description or suggestion in this reference that the host first sends a read status instruction to the card in order to read the contents of write protection register 457; and then sends a write instruction to the card **only** if the write protection register is not set. Rather, from a clear reading of Robinson, a write instruction

is sent to the card, regardless of whether the write protect switch is set; and it is up to the card controller to determine whether or not the data that is received from the host is written into the card memory. That is, if the write protect switch is not set, data is sent to the card and that data is written into the card memory. But, if the write protect switch is set, data is still sent to the card, but now, that data is not written.

Claim 19, as amended, clearly recites the distinguishing feature that the memory card control means, "receiv[es] from said external apparatus data to be written ... and a write instruction signal only if the state of said switch that is sent to said external apparatus is not said state which inhibits writing".

Claim 22, as amended, clearly recites the distinguishing feature that the controller of the external apparatus "transmit[s] ... said write instruction and said data to be written into said flash memory after said external apparatus receives said state of said switch and only if said state is not the state that inhibits writing."

Thus, and contrary to the teachings of Robinson, neither data nor the write instruction is sent to the memory card of claims 19 and 22 if the write protect switch is set. But, in Robinson, data and, presumably, the write instruction, are sent to the memory card even if the write protect switch is set; and it is left to the card controller ASIC 322 to permit or inhibit that data from being written, depending upon the state of the write protect switch. See col. 15, lines 5-8 of Robinson. Consequently, Robinson does not teach all of the elements recited by the independent claims. Nor would one of ordinary skill in the art learn from Robinson (or from any other reference relied upon by the Examiner) that it would be obvious to modify the operation of Robinson so as to operate in the manner defined by Applicants' claims. Accordingly, it is

respectfully requested that the rejection based upon Robinson be withdrawn; and that this application be found in condition for allowance.

The Examiner has cited the Jigour reference because it mentions serial data transmission. It is appreciated that Jigour does not cure the deficiencies of Robinson noted above. Hence, the addition of Jigour to the teachings of Robinson still would not enable one of ordinary skill in the art to make and use Applicants' claimed invention.

Claims 20 and 21 depend from claim 19; and claims 23 and 24 depend from claim 22. These dependent claim inherit all of the limitations recited in the independent claims; and, therefore, claims 20, 21, 23 and 24 are patentably distinct over Robinson, taken alone or in combination with Jigour, for those reasons which have been discussed above.


Our check in the amount of \$130 is enclosed as the fee for extending the term to respond to the Office Action by one month. It is believed that no additional fees are needed to enter and consider the present amendment. However, if any fees are required, or if the present application is entitled to a credit of any fees heretofore paid, it is requested that such fees or overpayment be charged or credited to Deposit Account 50-0320.

Reconsideration and allowance of this application are solicited.



Respectfully submitted,  
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